

Ralph J. Marra
Thomas R. Calcagni
Eric T. Kanefsky
CALCAGNI & KANEFSKY, LLC
1085 Raymond Blvd.
14th Floor
Newark, NJ 07102

Michael A. Doornweerd (*pro hac vice*)
Wade A. Thomson (*pro hac vice*)
JENNER & BLOCK LLP
353 N. Clark Street
Chicago, IL 60654

*Attorneys for Defendant
Bath Iron Works Corporation*

Anthony R. Twardowski, Esquire
ZARWIN BAUM DEVITO KAPLAN
SCHAER TODDY, P.C.
1818 Market Street, 13th Floor
Philadelphia, PA 19103

*Attorneys for Plaintiffs DVL, Inc.
and DVL Kearny Holdings, LLC*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DVL, INC. and DVL KEARNY
HOLDINGS, LLC,

Plaintiffs,

v.

CONGOLEUM CORPORATION and
BATH IRON WORKS CORPORATION,

Defendants.

Civil Action No. 17-4261 (KM) (JBC)

**JOINT STIPULATION OF DISMISSAL
WITH PREJUDICE OF ALL PARTIES’
REMAINING CLAIMS, COUNTER-
CLAIMS AND CROSS-CLAIMS
PURSUANT TO FEDERAL
RULES OF CIVIL PROCEDURE
41(a)(1)(A)(ii) & 41(c)**

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE OF ALL PARTIES’
REMAINING CLAIMS, COUNTER-CLAIMS AND CROSS-CLAIMS PURSUANT TO
FEDERAL RULES OF CIVIL PROCEDURE 41(a)(1)(A)(ii) & 41(c)**

The parties DVL, Inc. and DVL Kearny Holdings, LLC (“DVL” or “Plaintiffs”), Defendant Bath Iron Works Corporation (“BIW”), and CC Oldco Corporation, successor to Defendant Congoleum Corporation (hereinafter “Congoleum”) (collectively, the “Parties”) respectfully

submit this Joint Stipulation pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 41(c). On June 8, 2021, the Parties submitted a joint stipulation in which the Parties stipulated that Congoleum's Cross-Claims against BIW in the above-captioned action (the "Action") were dismissed with prejudice. (Dkt. 207.) The Court entered the joint stipulation of dismissal of Congoleum's Cross-Claims against BIW, with prejudice, on June 9, 2021. (Dkt. 208.) On September 13, 2021, the Parties submitted a joint stipulation reflecting that DVL was dismissing, with prejudice, all of DVL's claims against BIW in the Action. (Dkt. 212)

The Parties hereby stipulate that the Parties are dismissing, with prejudice, any and all of their remaining claims, counter-claims, and/or cross-claims alleged in the Action. As a result of this joint stipulation, there will be no claims remaining against any party in the Action. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs voluntarily dismiss the Action in its entirety, with prejudice. Defendants BIW and Congoleum consent to the voluntary dismissal of the Action.

Dated: September 13, 2021

Respectfully submitted,

/s/ Ralph J. Marra

Ralph J. Marra
Thomas R. Calcagni
Eric T. Kanefsky
CALCAGNI & KANEFSKY, LLC
1085 Raymond Blvd.
14th Floor
Newark, NJ 07102
(862) 397-1796

/s/ Anthony R. Twardowski

Anthony R. Twardowski, Esquire
ZARWIN BAUM DEVITO KAPLAN
SCHAER TODDY, P.C.
1818 Market Street, 13th Floor
Philadelphia, PA 19103

*Attorneys for Plaintiffs DVL, Inc. and DVL
Kearny Holdings, LLC*

Michael A. Doornweerd (*pro hac vice*)
Wade A. Thomson (*pro hac vice*)
JENNER & BLOCK LLP
353 N. Clark Street
Chicago, IL 60654
(312) 222-9350
mdoornweerd@jenner.com
wthomson@jenner.com

*Attorneys for Defendant
Bath Iron Works Corporation*

/s/ Russel L. Hewit

Russel L. Hewit
Scott A. Hall
DUGHI, HEWIT & DOMALEWSKI, P.C.
340 North Avenue
Cranford, NJ 07016

*Attorneys for Defendant
CC Oldco Corporation, successor to
Congoleum Corporation*